

Senate Bill No. 1265

CHAPTER 50

An act to amend Section 4360 of the Welfare and Institutions Code, relating to judicially committed patients.

[Approved by Governor July 6, 2010. Filed with Secretary
of State July 6, 2010.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1265, Dutton. Forensic Conditional Release Program.

Existing law provides that the State Department of Mental Health shall provide mental health treatment and supervision in the community for judicially committed persons, as specified. Existing law provides that the department may provide these services directly or through contract with private providers or counties, including administrative and ancillary services related to the provision of direct services. Existing law provides that the program established and administered by the department to provide services pursuant to this authority shall be known as the Forensic Conditional Release Program.

This bill would authorize programs providing services pursuant to this provision to inform local enforcement agencies of the names and addresses of program participants in the law enforcement agency's jurisdiction. The bill would specify that providing this notice does not relieve a person or entity of any statutory duty.

The people of the State of California do enact as follows:

SECTION 1. Section 4360 of the Welfare and Institutions Code is amended to read:

4360. (a) The department shall provide mental health treatment and supervision in the community for judicially committed persons. The program established and administered by the department under this chapter to provide these services shall be known as the Forensic Conditional Release Program and may be used by the department in accordance with this section to provide services in the community to other patient populations for which the department has direct responsibility.

(b) The department may provide directly, or through contract with private providers or counties, for these services, including administrative and ancillary services related to the provision of direct services. These contracts shall be exempt from the requirements contained in the Public Contract Code and the State Administrative Manual, and from approval by the Department of General Services. Subject to approval by the department, a

county or private provider under contract to the department to provide these services may subcontract with private providers for those services.

(c) Notwithstanding Section 5328, programs providing services pursuant to this section may inform local law enforcement agencies of the names and addresses of program participants who reside within that agency's jurisdiction. Providing notice under this subdivision does not relieve a person or entity of any statutory duty.